

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CROWN COMMUNICATION)	
INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE)	
OF A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO CONSTRUCT A WIRELESS)	
COMMUNICATIONS FACILITY AT THE NW)	
CORNER OF HURSTBOURNE & SIX MILE LANE,)	CASE NO.
LOUISVILLE, KENTUCKY 40220 IN THE WIRELESS)	2000-041
COMMUNICATIONS LICENSE AREA IN THE)	
COMMONWEALTH OF KENTUCKY)	
IN THE COUNTY OF JEFFERSON)	
SITE NAME: SIX MILE)	

O R D E R

On February 2, 2000, Crown Communication Inc. ("Crown") and Kentucky CGSA, Inc. (collectively, the "Applicants") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility consists of a monopole antenna tower not to exceed 110 feet in height, with attached antennas, to be located at the NW Corner of Hurstbourne and Six Mile Lane, Louisville, Jefferson County, Kentucky. The coordinates for the proposed facility are North Latitude 38° 11' 56.22" by West Longitude 85° 36' 13.81".

Crown has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and the plans have been certified by a Licensed Professional Engineer.

Pursuant to KRS 278.650, the Applicants have submitted a proposal to the local planning unit for the proposed construction. According to the application, the local planning unit approved the proposed construction. The Applicants have filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the proposed facility. Both applications have been approved.

The Applicants have filed evidence of the appropriate notices provided pursuant to 807 KAR 5:063. The notices solicited any comments and informed the recipients of their right to request intervention. The Commission received and granted one request for intervention. A public hearing was scheduled but later cancelled after the parties resolved the issues.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Crown should notify the Commission if it does not use this antenna tower to provide service in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by Crown.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that the Applicants have demonstrated that a facility is necessary to provide adequate utility service and therefore a Certificate of Public Convenience and Necessity to construct the proposed facility should be granted.

IT IS THEREFORE ORDERED that:

1. Crown is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility. The proposed facility consists of a monopole antenna tower not to exceed 110 feet in height, with attached antennas and is to be located at the NW Corner of Hurstbourne and Six Mile Lane, Louisville, Jefferson County, Kentucky. The coordinates for the proposed facility are North Latitude 38° 11' 56.22" by West Longitude 85° 36' 13.81".

2. Crown shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 25th day of May, 2000.

By the Commission

ATTEST:


Executive Director